

Notice of Allowability

Application No.

10/617,896

Examiner

Quang D. Thanh

Applicant(s)

KIM, HAKJIN

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3764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to a telephone interview on 12/19/2005.
2. ☒ The allowed claim(s) is/are 1-16 and 20-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 10/21/03;10/11/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 12-19-05
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with ChoongSeop Lee on 12/19/2005.

The application has been amended as follows:

Claims 17, 18 and 19 have been canceled.

Claim 1 has been replaced with the following:

--1. A lie-down massager, comprising:

- a) a base frame having an elongated top panel, wherein an elongated top opening is formed centrally and lengthwise through the elongated top panel;
- b) a rider provided below the elongated top panel of the base frame;
- c) a guide member movably engaged between the base frame and the rider so as to enable the rider to make a horizontally reciprocal movement relative to the base frame;
- d) a lifter having a top plate and a bottom plate, a hydraulic actuator fixed to the bottom plate, and a hydraulic controller, wherein the hydraulic controller controls operation of the hydraulic actuator, wherein the top plate has a top upper surface portion and a top lower surface portion, wherein the bottom plate has a bottom upper surface portion and a bottom lower surface portion, wherein the hydraulic actuator has a

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hollow cylinder, a plunger reciprocating in the cylinder, and a shaft fixed to the plunger and the top plate;

e) one or more lifter guides extending downward from the top lower surface portion of the top plate;

f) one or more lifter guide bushes extending upward from the bottom upper surface portion of the bottom plate to releasably receive the lifter guides;

g) massage bumps attached to the top upper surface portion of the lifter and moving vertically and/or horizontally along the elongated top opening of the elongated top panel of the base frame; wherein the cylinder of the hydraulic actuator comprises a upper hole positioned near one end of the hydraulic actuator that is directed toward the top plate of the lifter, and a lower hole positioned near the other end of the hydraulic actuator, wherein the hydraulic controller supplies hydraulic fluid to the cylinder via the lower hole and recovers hydraulic fluid via the upper hole when the hydraulic actuator lifts the top plate, and wherein the hydraulic controller supplies hydraulic fluid to the cylinder via the upper hole and recovers hydraulic fluid via the lower hole when the hydraulic actuator lowers the top plate;

h) wherein the hydraulic controller comprises a pump that pressurizes hydraulic fluid, and a valve assembly that selectively provides hydraulic fluid to the hydraulic actuator; wherein the valve assembly comprises a valve chamber, a first piston, a second piston, a valve conduit and a valve rod, wherein the first piston and the second piston are fixed to the valve rod and move reciprocally in the valve chamber, wherein the valve chamber comprises a first hole, a second hole, a third hole, a fourth hole, a

fifth hole, a sixth hole and a first rod hole, wherein the valve rod extends out the valve chamber through the first rod hole, wherein the valve conduit is positioned outside the valve chamber and connects the fifth hole and the sixth hole, wherein the hydraulic controller further comprises a first conduit that connects the first hole of the valve chamber and the upper hole of the hydraulic actuator, a second conduit that connects the pump and the second hole of the valve chamber, a third conduit that connects the third hole of the valve chamber and the lower hole of the hydraulic actuator, a fourth conduit that connects the fourth hole and the pump, wherein when the top plate is lifted, the first piston and the second piston are moved to a lifting position in which the first piston and the second piston partition the valve chamber such that hydraulic fluid flows from the pump to the lower hole of the hydraulic actuator via the second conduit and the third conduit so that the plunger is pushed upward, and hydraulic fluid flows from the upper hole of the hydraulic actuator to the pump via the first conduit, the valve conduit, and the fourth conduit so that hydraulic fluid is recovered, wherein when the top plate is lowered, the first piston and the second piston are moved to a lowering position in which the first piston and the second piston partition the valve chamber such that hydraulic fluid flows from the pump to the upper hole of the hydraulic actuator via the first conduit and the second conduit so that the plunger is pushed downward, and hydraulic fluid flows from the lower hole of the hydraulic actuator to the pump via the third conduit and the fourth conduit so that hydraulic fluid is recovered, wherein when the top plate is neither lifted nor lowered, the first piston and the second piston are moved a neutral position in which the first piston and the second piston block the first hole and the third

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hole such that hydraulic fluid flow between the hydraulic controller and the hydraulic actuator does not occur. –

In claim 20, p. 29, line 6, "claim 19" has been replaced with – claim 1 --

In claim 21, p. 29, line 12, "claim 19" has been replaced with – claim 1 --

In claim 23, p. 30, line 5, "claim 19" has been replaced with – claim 21 –

2. The following is an examiner's statement of reasons for allowance: none of the prior art of record teach or suggest a massager comprising: a base frame, an elongated top panel, a rider, a guide member, a lifter having a top plate and a bottom plate, a hydraulic actuator, a hydraulic controller, wherein the hydraulic controller controls operation of the hydraulic actuator having a hollow cylinder, a plunger and a shaft, one or more lifter guides ; one or more lifter guide bushes, massage bumps, upper and lower holes positioned in the hydraulic actuator ; and a pump, in combination of all elements as recited and further including a valve assembly that selectively provides hydraulic fluid to the hydraulic actuator; wherein the valve assembly comprises a valve chamber, a first piston, a second piston, a valve conduit and a valve rod, wherein the first piston and the second piston are fixed to the valve rod and move reciprocally in the valve chamber, wherein the valve chamber comprises a first hole, a second hole, a third hole, a fourth hole, a fifth hole, a sixth hole and a first rod hole, wherein the valve rod extends out the valve chamber through the first rod hole, wherein the valve conduit is positioned outside the valve chamber and connects the fifth hole and the sixth hole,

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wherein the hydraulic controller further comprises a first conduit that connects the first hole of the valve chamber and the upper hole of the hydraulic actuator, a second conduit that connects the pump and the second hole of the valve chamber, a third conduit that connects the third hole of the valve chamber and the lower hole of the hydraulic actuator, a fourth conduit that connects the fourth hole and the pump, wherein when the top plate is lifted, the first piston and the second piston are moved to a lifting position in which the first piston and the second piston partition the valve chamber such that hydraulic fluid flows from the pump to the lower hole of the hydraulic actuator via the second conduit and the third conduit so that the plunger is pushed upward, and hydraulic fluid flows from the upper hole of the hydraulic actuator to the pump via the first conduit, the valve conduit, and the fourth conduit so that hydraulic fluid is recovered, wherein when the top plate is lowered, the first piston and the second piston are moved to a lowering position in which the first piston and the second piston partition the valve chamber such that hydraulic fluid flows from the pump to the upper hole of the hydraulic actuator via the first conduit and the second conduit so that the plunger is pushed downward, and hydraulic fluid flows from the lower hole of the hydraulic actuator to the pump via the third conduit and the fourth conduit so that hydraulic fluid is recovered, wherein when the top plate is neither lifted nor lowered, the first piston and the second piston are moved a neutral position in which the first piston and the second piston block the first hole and the third hole such that hydraulic fluid flow between the hydraulic controller and the hydraulic actuator does not occur.

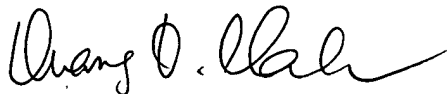
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3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang D. Thanh whose telephone number is (571) 272-4982. The examiner can normally be reached on Monday-Thursday & alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Cronin can be reached on (571) 272-4536. The Central FAX phone number for the organization where this application or proceeding is assigned is (571) 273-8300 for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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